

# The Cupertino Courier

c/o Bay Area News Group  
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Legal No.

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CITY OF CUPERTINO  
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## PROOF OF PUBLICATION State of California County of Santa Clara

### FILE NO. L.Sapudar:Regnart Creek Fencing

I am a citizen of the United States. I am over the age of eighteen years and I am not a party to or interested in the above entitled matter. I am the Legal Advertising Clerk of the printer and publisher of the Cupertino Courier, a newspaper published in the English language in the City of Cupertino, County of Santa Clara, State of California.

I declare that the Cupertino Courier is a newspaper of general circulation as defined by the laws of the State of California as determined by court decree dated November 13, 1956, Case Number 100637. Said decree states that the Cupertino Courier is adjudged to be a newspaper of general circulation for the City of Cupertino, County of Santa Clara and State of California. Said order has not been revoked.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

**12/18/2020**

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated: December 18, 2020



Public Notice Advertising Clerk

**CITY OF CUPERTINO  
NOTICE INVITING BIDS  
REGNART CREEK FENCING PROJECT**

**1. Bid Submission.** City of Cupertino ("City") will accept sealed bids for its **Regnart Creek Fencing Project** ("Project"), by or before January 5, 2021 at 2:00 pm.

**1.1. Electronic Submittals Only.** All bids must be submitted in PDF format online at <https://apps.cupertino.org/bidmanagement/index.aspx>.

**1.2.** Bidders may log into the application using the account used to access bidding documents. To submit a bid, open the project and select the Electronic Submission tab. The City may, acting in its sole discretion, reject any and all bids, and may waive any immaterial deviation from the bid requirements to the full extent permitted by law.

**It is recommended that bidders familiarize themselves with the web application prior to the bid due date. Make sure to follow all bid instructions and include all required forms. Submitting a bid electronically can take more time than anticipated so please allow enough time to finalize your bid submission by the stated deadline.**

**Bids in process but not completely uploaded by the deadline will automatically be rejected by the system. It will not allow bid submission once the bid closes.**

**2. Project Information.**

**2.1 Location and Description.** The Project is located adjacent to Regnart Creek from East Estates Drive to Pacifica Drive and is described as follows: Construction of fencing along to Regnart Creek from Pacifica Drive to East Estate Drive.

**2.2 Time for Completion.** The Project must be completed within 152 calendar days from the start date set forth in the Notice to Proceed. City anticipates that the Work will begin on or about February 1, 2021, but the anticipated start date is provided solely for convenience and is neither certain nor binding.

**2.3 Estimated Cost.** The estimated construction cost is \$960,000

**2.4 Retention.** The percentage of retention that will be withheld from progress payments is 5%.

**3. License and Registration Requirements.**

**3.1 License.** This Project requires a valid California contractor's license for the following classification(s): Class A.

**3.2 DIR Registration.** City may not accept a Bid Proposal from or enter into the Contract with a bidder, without proof that the bidder is registered with the California Department of Industrial Relations ("DIR") to perform public work pursuant to Labor Code § 1725.5, subject to limited legal exceptions.

**4. Contract Documents.** The plans, specifications, bid forms and contract documents for the Project, and any addenda thereto ("Contract Documents") may be downloaded from City's website located at: <https://apps.cupertino.org/bidmanagement/Index.aspx> and may also be available from a local and regional plan room or trade journal.

**5. Bid Security.** The Bid Proposal must be accompanied by bid security of ten percent of the maximum bid amount, in the form of a cashier's or certified check made payable to City, or a bid bond executed by a surety licensed to do business in the State of California on the Bid Bond form included with the Contract Documents. The bid security must guarantee that within ten days after City issues the Notice of Potential Award, the successful bidder will execute the Contract and submit the payment and performance bonds, insurance certificates and endorsements, and any other submittals required by the Contract Documents and as specified in the Notice of Potential Award.

**6. Prevailing Wage Requirements.**

**6.1 General.** Pursuant to California Labor Code § 1720 et seq., this Project is subject to the prevailing wage requirements applicable to the locality in which the Work is to be performed for each craft, classification or type of worker needed to perform the Work, including employer payments for health and welfare, pension, vacation, apprenticeship and similar purposes.

**6.2 Rates.** These prevailing rates are on file with the City and are available online at <http://www.dir.ca.gov/DLSR>. Each Contractor and Subcontractor must pay no less than the specified rates to all workers employed to work on the Project. The schedule of per diem wages is based upon a working day of eight hours. The rate for holiday and overtime work must be at least time and one-half.

**6.3 Compliance.** The Contract will be subject to compliance monitoring and enforcement by the DIR, under Labor Code § 1771.4.

**7. Performance and Payment Bonds.** The successful bidder will be required to provide performance and payment bonds, each for 100% of the Contract Price, as further specified in the Contract Documents.

**8. Substitution of Securities.** Substitution of appropriate securities in lieu of retention amounts from progress payments is permitted under Public Contract Code § 22300.

**9. Subcontractor List.** Each Subcontractor must be registered with the DIR to perform work on public projects. Each bidder must submit a completed Subcontractor List form with its Bid Proposal, including the name, location of the place of business, California contractor license number, DIR registration number, and percentage of the Work to be performed (based on the base bid price) for each Subcontractor that will perform Work or service or fabricate or install Work for the prime contractor in excess of one-half of 1% of the bid price, using the Subcontractor List form included with the Contract Documents.

**10. Instructions to Bidders.** All bidders should carefully review the Instructions to Bidders for more detailed information before submitting a Bid Proposal. The definitions provided in Article 1 of the General Conditions apply to all of the Contract Documents, as defined therein, including this Notice Inviting Bids.

CITY OF CUPERTINO  
/S/KIRSTEN SQUARCIA  
CITY CLERK  
PUBLISH 12/18/20

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